

**CERTIFICATE OF MAILING**

I hereby certify that on N **umber** 14, 2003, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10

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Allie Barrett

17548 U.S. PTO  
10/714320  
111403

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**UTILITY PATENT APPLICATION TRANSMITTAL**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

Transmitted herewith for filing is the patent application of inventor(s):

1<sup>st</sup> Inventor: Yigal Froman (deceased)

2<sup>nd</sup> Inventor: Darren L. Redetzke

3<sup>rd</sup> Inventor: Peter D. Moeller

4<sup>th</sup> Inventor: Kenneth E. Kline

For: **VIRTUAL DIAL IRRIGATION CONTROLLER**

**1. Type of Application**

This new application is for a(n)

- ☒ Original (non provisional)
- ☐ Design
- ☐ Plant
- ☐ Continuation-in-part (CIP)

**2. Benefit of Prior U.S. Application(s) (35 USC §§ 119(e), 120, or 121)**

- ☒ The new application being transmitted claims the benefit of the following prior U.S. Provisional application: U.S. Provisional Patent Application No. 60/426,548 filed November 15, 2002 entitled *Virtual Rotary Dial Irrigation Controller*.

**3. Papers Enclosed**

A.

<u>14</u>	pages of specification
<u>4</u>	pages of claims
<u>1</u>	pages of abstract
<u>7</u>	sheets of drawings (do not submit original drawings)

(complete the following, if applicable)

- ☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 CFR 1.84(b).

B. Other Papers Enclosed

<u>3</u>	Pages of Combined Declaration, Power of Attorney and Petition
<u>4</u>	Assignment
<u>2</u>	Information Disclosure Statement By Applicant (including 4 cited references)
<u>1</u>	Fee Transmittal For FY 2004
<u>1</u>	Credit Card Payment Form

**4. Declaration or oath (including power of attorney)**

- ☒ Enclosed  
☐ executed by inventor(s)

**5. Inventorship Statement**

Inventorship for all the claims in this application are:

- ☐ The same.

**6. Assignment**

- ☒ An assignment of the invention to The Toro Company  
☒ is attached.  
☐ executed by inventor(s)  
☐ was filed in parent application  
☐ will follow.

**7. Fee Calculation**

A. ☒ Regular application

CLAIMS AS FILED					
Number filed	Number Extra	Rate		Basic Fee 37 CFR § 1.16(a)/	
		Large Entity	Small Entity	Large Entity \$770.00	Small Entity \$385.00
Total Claims (37 CFR § 1.16(c)) = 22	- 20 = 2	x \$18.00 =	x \$9.00 =	36.00	
Independent Claims (37 CFR § 1.16(b)) = 3	- 3 = 0	x \$86.00 =	x \$43.00 =	00.00	
Multiple dependent claims(s), if any (37 CFR § 1.16(d)) = 11		+ \$290.00=		00.00	
Recordation Filing Fee					

- ☐ An amendment canceling extra claims is enclosed.  
☐ An amendment deleting multiple-dependencies is enclosed.  
☐ The fee for extra claims is not being paid at this time

Filing Fee Calculation \$806.00

- B. ☐ Design application (\$330-37 CFR§1.16(f)) \$ \_\_\_\_\_  
C. ☐ Plant application (\$540-37 CFR§1.16(g)) \$ \_\_\_\_\_

**8. Small Entity Statement(s)**

☐ Applicant claims small entity status. See 37 CFR 1.27

**9. Fee Payment Being Made at Time**

- ☐ Not Enclosed  
☐ No filing fee is to be paid at this time.  
☒ Enclosed  
☒ Filing Fee \$ 806.00

**10. Method of Payment of Fees**

- ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.  
☒ Credit Card Payment Form is enclosed.  
☐ Charge Deposit Account No. 50-2809 in the amount of \$ \_\_\_\_\_  
A duplicate of this transmittal is attached.

11. ☐ Request and Certification under 35 USC §122 (b)(2)(B)(i) (Non-publication Request)

12. **Authorization to Charge Additional Fees**

*(If no fees are to be paid on filing, the following items should not be completed)*

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 50-2809.
- ☒ 37 CFR§§1.16(a), (f), or (g) (Filing fees)
  - ☒ 37 CFR§§1.16(b), (c), and (d) (presentation of extra claims)
  - ☐ 37 CFR§§1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
  - ☐ 37 CFR§§1.17(a)(1)-(5) (extension fees pursuant to §1.136(a))
  - ☐ 37 CFR§§1.17 (application processing fees)
  - ☐ 37 CFR§§1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR§1.1311(b))

13. **Instructions as to Overpayment**

- ☒ Credit Account No. 50-2809  
☐ Refund

14. **Correspondence Address**

- ☒ Customer Number. 37,374  
☒ Please direct all future correspondence to the following attorney/address:

**INSKEEP INTELLECTUAL PROPERTY GROUP, INC.**

1225 W. 190<sup>th</sup> Street, Suite 205


Gardena, CA 90248

**Attn: James W. Inskeep**

Telephone: 310.217.6220

Facsimile: 310.327.0282

Respectfully submitted,

  
James W. Inskeep, Esq.  
Registration No. 33,910

November 14, 2003

INSKEEP INTELLECTUAL PROPERTY GROUP, INC.

1225 W. 190<sup>th</sup> Street, Suite 205

Gardena, CA 90248

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16367 U.S. PTO

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**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 806.00)

**Complete if Known**

Application Number	Unknown
Filing Date	November 14, 2003
First Named Inventor	Froman et al.
Examiner Name	Unknown
Art Unit	Unknown
Attorney Docket No.	1506-315

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name

50-2809

INSKEEP IP GROUP, INC.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	770.00
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 770.00)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	22	-20** = 2	x 18	= 36
Independent Claims	3	-3** = 0	x 00	= 00
Multiple Dependent				= 00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$ 36.00)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 00.00)

**SUBMITTED BY**

(Complete (if applicable))

Name (Print/Type)	James W. Inskeep, Esq.	Registration No. (Attorney/Agent)	33,910	Telephone	310.217.6220
Signature		Date	November 14, 2003		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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